

February 26, 1976

I would urge you, please, please turn in your priority bills or your committee bills as soon as possible.

CLERK: Mr. President, Senator Koch asks unanimous consent to bracket LB 631 to Thursday, March 4th.

PRESIDENT: 634 you say?

CLERK: LB 631 to March 4th.

PRESIDENT: Well what are we doing? Have we ever bracketed 634?

CLERK: It was laid over till tomorrow, I understood.

PRESIDENT: Was that laid over then? OK.

CLERK: Mr. President, Senator Mahoney asked to be excused tomorrow. Senator Duis and Clark tomorrow afternoon.

PRESIDENT: Mr. Speaker.

SPEAKER: Senator Kremer's bill.

PRESIDENT: Alright. Senator Kremer. LB 795.

CLERK: Read title to LB 795.

SENATOR KREMER: Mr. Chairman, I think probably I should give you a little brief review of the legislation that's been passed over the last number of years that lead up to the introduction of LB 795.

I believe it was 1967 or '69 that the Flood Plain Management Act was passed that provided for the delineation of a flood plain, especially as it pertained to incorporated areas, based on data that was available principally through the Corps of Army Engineers.

A year ago we passed LB 108 because we learned that the Corps had intended to take over management of the Platte River because they identified it as a navigable river. Later on the formula for identifying a navigable river was changed saying that any stream that was a part of a stream that was navigable was a navigable stream.

Hopefully, to head off the intervention of the feds. on this respect we passed LB 108 which said that we need not wait until such time as a flood plain is delineated. But immediately before anyone could build a structure or provide for an obstruction in the stream it had to have a permit issued by the Natural Resources Commission.

Then after the bill was passed there was a great deal of apprehension on the part of the counties because it pertains to every little bridge or every little culvert that might have been installed in the stream. So they asked for this bill that allows for an exemption on the minor streams within a county. The bill provides that the Commission shall prepare a map to be made available to the various counties for their review. The county in turn would have to publish a notice in the newspapers and call for a hearing at which time the county would have the authority to change